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By: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BAUM et al.

Application No.: 09/630,752

Filed: August 2, 2000

For: Photographic Image Upload Kiosk  
and Method

Examiner: Tim Brown

Art Unit: 3625

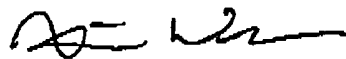
**RESPONSE to Notice Regarding Power  
of Attorney**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

Sirs:

The applicants submit Assignment by the inventors under 37 CFR 3.73(b) in response to Notice regarding Power of Attorney dated 5/9/2005. A copy of recordation of assignment is also submitted for proof of ownership.

Respectfully submitted,



Xin Wen  
Reg. No. 53,758  
650-610-3522



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING OR 371 (a) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO./TITLE
09/630,752	08/02/2000	Daniel Baum	1309.003US1

31688  
TRAN & ASSOCIATES  
6768 MEADOW VISTA CT.  
SAN JOSE, CA 95135

CONFIRMATION NO. 8052

\*OC000000015969986\*

\*OC000000015969986\*


Date Mailed: 05/09/2005

## NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/19/2005 . The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.



  
LOWUAN ELLIS  
3600 (571) 272-6588

NEW ATTORNEY/AGENT COPY

### ASSIGNMENT

WHEREAS, WB, Daniel Baum, residing at 685 San Mateo Drive, Menlo Park, CA 94025, and Avi Bleiweiss, residing at 1494 Ormaby Drive, Sunnyvale, CA 94087, and Xin Wen, residing at 1093 Tanland Drive, #205, Palo Alto, CA 94303, made certain new and useful inventions and improvements for which We executed an application for Letters Patent of the United States on Even Data Herewith, which is entitled PHOTOGRAPHIC IMAGE UPLOAD KIOSK AND METHOD.

AND WHEREAS, SHUTTERFLY.COM, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 2800 Bridge Parkway, Suite 101, Redwood City, CA 94065, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefore;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

DocId: No.: 1309.003US1  
Serial No.: Not Assigned  
Filing Date: Even Date Herewith  
Page 2 of 3

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of August, 2000.

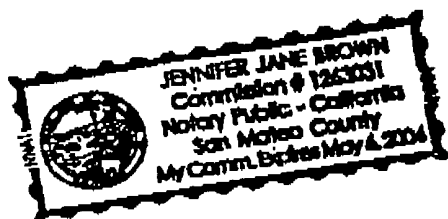
Daniel Baum  
Daniel Baum

STATE OF CA.  
COUNTY OF SAN MATEO

On this 2 day of August, 2000 before me personally appeared Daniel Baum to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Jennifer Jane Brown  
Notary Public



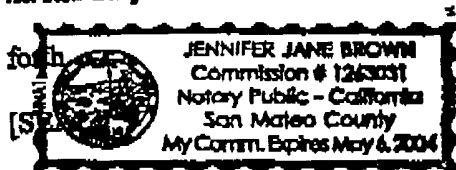
Docket No.: 1308.003U81  
Serial No.: Not Assigned  
Filing Date: Even Date Herewith  
Page: 3 of 3

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of August, 2000.

Avi Bleiweiss  
Avi Bleiweiss

STATE OF CA)  
)ss.  
COUNTY OF San Mateo

On this 2 day of August, 2000 before me personally appeared Avi Bleiweiss to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set



Jennifer Jane Brown  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2nd day of August, 2000.

Xin Wen

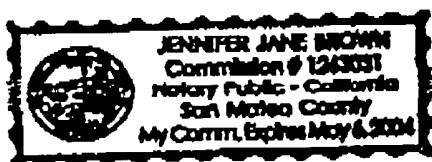
Xin Wen

STATE OF CA)  
)ss.  
COUNTY OF San Mateo

On this 2 day of August, 2000 before me personally appeared Xin Wen to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Jennifer Jane Brown  
Notary Public



1309.003451



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 10, 2000

PTAS

SCHWEGMAN LUNDBERG WOESSNER & KLUTH, PA  
CHARLES A. LEMAIRE  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402



\*101440208A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/02/2000

REEL/FRAME: 011010/0019  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BAUM, DANIEL

DOC DATE: 08/02/2000

ASSIGNOR:  
BLEIWEISS, AVI

DOC DATE: 08/02/2000

ASSIGNOR:  
WEN, XIN

DOC DATE: 08/02/2000

ASSIGNEE:  
SHUTTERFLY.COM  
2800 BRIDGE PARKWAY  
SUITE 101  
REDWOOD CITY, CALIFORNIA 94065

SERIAL NUMBER: 09630752  
PATENT NUMBER:

FILING DATE: 08/02/2000  
ISSUE DATE:

Schwegman, Lundberg, Woessner & Kluth, P.A.

OCT 23 2000

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011010/0019 PAGE 2

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Atty Ref/Docket No.: 1309.003US1



To the Honorable Commissioner of Patents and Tra.

101440208

or copy thereof.

1. Name of conveying party(ies):

8-2-00

Daniel Baum, Avi Bleiweiss and Xin Wen

2. Name and address of receiving party(ies):

Name: SHUTTERFLY.COM

Street Address: 2800 Bridge Parkway  
Suite 101

City: Redwood City State: CA ZIP: 94065

Additional name(s) & address(es) attached? [ ] Yes [X] No

3862 U.S. PTO  
09/630752  
08/02/00

Additional name(s) of conveying party(ies) attached? [ ] Yes [X] No

3. Nature of conveyance:

- [X] Assignment [ ] Merger  
[ ] Security Agreement [ ] Change of Name  
[ ] Other

Execution Date: August 2, 2000

4. Application number(s) or patent number(s):

09/630752

If this document is being filed together with a new application, the execution date of the application is: August 2, 2000

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [ ] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Charles A. Lemaire

Address: Schwegman, Lundberg, Woessner & Kluth, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

[X] Enclosed  
[ ] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our  
Deposit account number: 19-0743

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Charles A. Lemaire/Reg. No. 36198  
Name of Person Signing

Signature

2 August 2000  
Date

Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)  
08/23/2000 PNGUYEN 00000272 09630752

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